



**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

**INFORMATIONAL STATEMENT OF ADOPTED PERMANENT REGULATIONS
AS REQUIRED BY NRS 233B.066**

The following informational statement as required by NRS 233B.066 is submitted for the adopted permanent amendments to Nevada Administrative Code (NAC) Chapters 616A through 617, inclusive, as follows:

a) A clear and concise explanation of the need for the adopted regulation:

The Workers' Compensation Section ("WCS") of the Division of Industrial Relations' ("DIR") proposed additions and amendments to NAC 616A through 617, inclusive are necessary to comply with recent statutory changes (Senate Bill No. 317, chapter 503, Statutes of Nevada 2025 & Senate Bill No. 376, chapter 456, Statutes of Nevada 2025) and to clarify and improve certain administrative requirements by: establishing requirements for a treating physician to delegate certain routine follow-up care of an injured employee to a physician assistant; revising the requirement for an insurer to notify the Administrator of the DIR of the Department of Business and Industry of the denial of a claim for compensation of an injured employee; clarifying the applicability of certain terms relating to the condition of an injured employee; updating certain information concerning a publication used to establish reasonable fees and charges for accident benefits; revising provisions governing the violations for which the Administrator is authorized to issue a notice of correction; revising provisions governing the violations for which the Administrator is authorized to impose an administrative fine or order a plan of corrective action, or both, after the issuance of a notice of correction; revising provisions governing the random selection by the Administrator of a rating physician or chiropractic physician; revising provisions governing the format in which certain entities are required to submit a list of physicians and chiropractic physicians to the Administrator; repealing provisions relating to the presence of a representative of an injured employee during a rating evaluation; repealing a requirement for the Administrator to assign a provider identification number to a physician or chiropractic physician included on the panel of physicians and chiropractic physicians maintained by the Administrator; and providing other matters properly relating thereto. .

b) A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary:

Copies of the proposed regulation, notice of workshop, and notice of intent to act upon the

permanent regulations were publicly posted and sent by e-mail to persons who were known to have an interest, including chambers of commerce and trade associations whose members are owners or officers of small businesses that are likely to be affected by the proposed regulation, as well as any persons who had specifically requested such notice. Additionally, the WCS sent a Small Business Impact Statement Questionnaire to interested parties via an email blast, which includes 18,466 recipients. The DIR also sent the Small Business Impact Statement Questionnaire to the Administrator's list of business stakeholders, which consists of 90 recipients. The Questionnaire inquired from small businesses whether they believed there would be any economic effects, adverse or beneficial, direct or indirect, on their respective businesses from the proposed regulation. The DIR also placed a link to the Questionnaire on the WCS website for interested parties to complete, should they choose.

These documents were also made available at the DIR's website, <http://dir.nv.gov/Meetings/Meetings> and were also posted at the following locations: (1) the State of Nevada Website (www.notice.nv.gov); (2) the Nevada State Legislature Website (<http://leg.state.nv.us/App/Notice/A/>); and (3) the Division of Industrial Relations Website (<http://dir.nv.gov/Meetings/Meetings>)

The notices were also physically posted at the DIR's offices, located at Division of Industrial Relations, 2300 W. Sahara Ave., Ste. 300, Las Vegas, Nevada 89102, and 1886 College Parkway, Suite 110, Carson City, Nevada 89706.

The DIR held a Public Workshop on December 17, 2025, regarding the permanent regulation (R117-25), to solicit comments on the proposed regulation. At the conclusion of the Public Workshop, the DIR invited members of the public to submit written public comments. Thereafter, the DIR held an Adoption Hearing on the permanent regulation (R117-25) on June 15, 2026. Again, after the conclusion of the Public Adoption Hearing, the DIR invited members of the public to submit written public comments.

A summary of the comments is below in Section (d) and may also be obtained by contacting: Amber Williams, Esq., Division of Industrial Relations, Division Counsel, 2300 W. Sahara Avenue, Ste. 300, Las Vegas, Nevada 89102, Email: amwilliams@dir.nv.gov.

c) The number of persons who:

1) Attended the December 17, 2025 Public Workshop (R117-25):	19
2) Testified at the December 17, 2025 Public Workshop (R117-25):	0
3) Submitted Written Comments re: December 17, 2025 Workshop:	0
4) Attended the June 15, 2026 Public Hearing (R117-25):	20
5) Testified at the June 15, 2026 Public Hearing (R117-25):	2
6) Submitted Written Comments re: June 15, 2026 Public Hearing:	3

d) For each person identified in NRS 233B.066(1)(c)(2) & (3), the following information if provided to the agency conducting the hearing: (1) name; (2) telephone number; (3) business address; (4) business telephone number; (5) electronic email address; and (6) name of entity or organization represented:

June 15, 2026, Public Hearing (R117-25)	
1	Name: Lisa Anderson, Esq. Telephone number: None Provided

	Business address: None Provided Business telephone number: None Provided Electronic mail address: None Provided Name or organization represented: GGRM Law Firm Summary of comment: Ms. Anderson advised that she represents injured workers and expressed concerns about repealing NRS 616.190, which currently allows an injured worker to have a representative present during a Permanent Partial Disability (PPD) evaluation. Ms. Anderson stated that this provision has existed since 1983, functions fairly for both claimants and insurers, and provides essential reassurance to injured workers during a stressful and consequential exam. Ms. Anderson stated there is no evidence of problems with representatives attending evaluations and emphasizes that removing this right would disadvantage claimants, especially unrepresented ones, by reducing transparency and their ability to understand or challenge the PPD findings.
2	Name: Kevin Kampschorr, Esq. Telephone number: None Provided Business address: None Provided Business telephone number: None Provided Electronic mail address: None Provided Name or organization represented: Sgro & Roger, Attorneys at Law Summary of comment: Mr. Kampschorr advised that he represents injured workers and expressed his concurrence with the prior testimony of Ms. Anderson. He stated that the points presented by Ms. Anderson accurately and comprehensively reflected the concerns shared by his law firm, and he affirmed his full agreement with the positions and observations she articulated.

Written Comments Received After June 15, 2026, Public Hearing (R117-25)	
1	Name: Steven Peters, Director, Network Government Relations Telephone number: None Provided Business address: None Provided Business telephone number: None Provided Electronic mail address: None Provided Name or organization represented: Enlyte Summary of comment: Enlyte submitted written comments to the DIR on June 15, 2026, addressing implementation considerations related to R117-25. Enlyte noted that while it is committed to full compliance and to supporting timely access to appropriate care for injured workers, the standardized terminology requirements for specialties, conditions, and body parts may reduce accuracy by limiting necessary specificity and requiring extensive normalization of provider-submitted information. Enlyte also requested clarification on formatting requirements for multiple practice locations, including identification of a primary location and application of fields when multiple entries are required. Enlyte indicated that it will continue coordinating with the DIR to ensure that data submissions meet regulatory expectations and effectively support Nevada's injured workers.
2	Name: Mark Sektnan, Vice President Telephone number: None Provided Business address: None Provided Business telephone number: None Provided Electronic mail address: None Provided Name or organization represented: American Property Casualty Insurance

	Association (APCIA) Summary of comment: APCIA submitted written comments to the DIR on June 16, 2026, supporting the repeal of provisions permitting attorneys or their representatives to attend medical rating evaluations. APCIA stated that attorney presence undermines the independence and objectivity of the evaluation process, risks exerting undue influence on physicians, may inhibit candid communication between the injured worker and the evaluator, and introduces adversarial dynamics inconsistent with the no-fault structure of the workers' compensation system. APCIA further noted that attorney involvement contributes to delays, administrative burdens, increased disputes, and higher system costs, and emphasized that existing procedural safeguards already allow injured workers to challenge medical ratings through established dispute-resolution mechanisms.
3	Name: Paola Stauffer, EVP, Claims Telephone number: None Provided Business address: 10421 S Jordan Gateway Blvd, Ste 400, South Jordan, UT 84095 Business telephone number: None Provided Electronic mail address: None Provided Name or organization represented: Utah Business Insurance Company (UBIC) Summary of comment: UBIC submitted written comments to the DIR on June 16, 2026, in support of repealing provisions permitting attorneys or their representatives to attend PPD rating evaluations. UBIC asserts that attorney presence is inconsistent with national practice, undermines the neutrality of clinical assessments, and conflicts with the Nevada Supreme Court's reasoning in <i>Lyft v. Eighth Judicial District Court</i>, which emphasized the need to preserve diagnostic objectivity in independent medical examinations. UBIC further noted concerns regarding professional pressure on rating physicians, chronic noncompliance with existing observer-related safeguards, and increased appeals and administrative burdens attributed to attorney involvement. UBIC concludes that removing attorneys from the examination setting would enhance clinical integrity, reduce unnecessary disputes and costs, and support greater stability in Nevada's workers' compensation system.

e) **A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary:**

Prior to conducting a small business impact survey, the DIR received input on the proposed regulation with key industry stakeholders. On November 10, 2025, the WCS sent a Small Business Impact Statement Questionnaire to interested parties via an email blast, which includes 18,466 recipients. Additionally, on November 10, 2025, the DIR sent the Small Business Impact Statement Questionnaire to the Administrator's list of business stakeholders, which consists of 90 recipients. The Questionnaire inquired from small businesses whether they believed there would be any economic effects, adverse or beneficial, direct or indirect, on their respective businesses from the proposed regulation. The DIR also placed a link to the Questionnaire on the WCS website for interested parties to complete, should they choose. The deadline to return the questionnaire was November 17, 2025, and the DIR received four (4) responses, only three (3) of which were from small businesses as defined by NRS 233B.0382, which may be summarized as follows:

- (1) Robin Johnson, Sole Proprietor, Northern Nevada Notary Signing Agent – Ms. Johnson indicated that the proposed regulations would not have any economic

effect, adverse or beneficial, and would not have any indirect effects, adverse or beneficial, on her business.

- (2) Richard Dizmang, Owner, Kastle Estates, Inc. – Mr. Dizmang thanked DIR for taking small businesses into account when making decisions about insurance and medical care. He indicated that the proposed regulations would not have any adverse economic effect on his business and he believes the regulations will have a beneficial effect on his business. Mr. Dizmang further indicated the proposed regulations will have an indirect adverse effect on his business stating the regulations would “strengthen the line, preventing Esmeralda county residents and employees from looking north (to Reno, Carson City) for our health care. Many of us (20%-25%) prefer to go north, and already have established relationships with medical facilities and individual practitioners there.” Finally, he indicated the proposed regulations would have an indirect beneficial effect by allowing access to a physician assistant that is closer than any other physician, which he believes will likely reduce downtime and expenses related to minor injuries and follow up appointments.
- (3) Gabriela Peterson, Office Manager, Night Shift, Inc. – Ms. Peterson indicated that she anticipates the proposed regulations will have an adverse economic effect on her business, with an estimated annual compliance cost of approximately \$100,000 to include an increase in labor compliance expenses, training, and implementation expenses. She also indicated the regulations will not have any beneficial economic effect on her business. She further indicated that the proposed regulations would have an indirect adverse effect on her business as she anticipates the new requirements are expected to increase operational costs, administrative workload, and compliance obligations, which may impact efficiency and profitability. Finally, she indicated the proposed regulations would have an indirect beneficial effect on her business through increased regulatory clarity and standardized compliance procedures, which may improve overall industry transparency and create a more level competitive environment over time.

Any other persons interested in obtaining a copy of the summary may mail or email a request to: Amber Williams, Esq., Division of Industrial Relations, Division Counsel, 2300 W. Sahara Avenue, Ste. 300, Las Vegas, Nevada 89102, Email: amwilliams@dir.nv.gov.

f) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:

The regulation was adopted with one minor modification, removing the proposed repeal of NAC 616C.109 in Section 10 in response to comments received during the adoption hearing opposing its rescission. The Division adopted the remainder of the regulation without further revision because all public comments submitted during the workshop and hearing were fully considered, and none demonstrated a need to alter the proposed text. The Division concluded that the adopted provisions, as written, appropriately fulfill the regulatory objectives.

g) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include: (1) both adverse and beneficial effects; and (2) both immediate and long-term effects:

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A. Adverse and Beneficial Effects

1. Effect on Businesses

The DIR anticipates no adverse effects, either direct or indirect, on regulated businesses or small businesses as a result of these regulations. The regulation may provide some beneficial effect, either direct or indirect, on regulated businesses or small businesses by promoting clearer administrative processes and supporting more efficient delivery of workers' compensation services. The adverse or beneficial effects, if any, are difficult to determine at this time. There will be no direct or indirect cost to regulated or small businesses.

2. Effect on the Public

The DIR does not anticipate any adverse effects, direct or indirect, on the public as a result of these regulations. The regulation may provide some beneficial effect, direct or indirect, on the public by promoting clearer administrative processes and supporting more efficient delivery of workers' compensation services. The adverse or beneficial effects, if any, are difficult to determine at this time. There will be no direct or indirect cost to the public.

B. Immediate and Long-Term Effects

1. Effect on Businesses

The DIR does not anticipate any immediate or long-term adverse effects on regulated or small businesses as a result of these regulations. No direct or indirect costs to businesses are expected, and any beneficial effects are administrative in nature and difficult to estimate at this time.

2. Effect on the Public

The DIR does not anticipate any immediate or long-term adverse effects on the public. No direct or indirect costs to the public are expected, and the regulation may provide some beneficial effect by supporting clearer administrative processes and more efficient delivery of workers' compensation services. The beneficial immediate and long-term effects, if any, are difficult to determine at this time.

h) The estimated cost to the agency for enforcement of the proposed regulation:

The DIR does not anticipate incurring any additional cost for these proposed permanent regulations.

i) A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

The DIR is not aware of any similar regulations of other state or government agencies that which the proposed regulations overlap or duplicate.

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- j) **If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

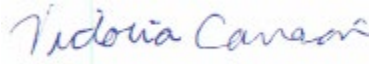
The DIR is not aware of any similar federal regulations of the same activity in which the adopted regulations are more stringent.

- k) **If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

The proposed regulation does not provide for a new fee and does not increase an existing fee payable to the DIR.

Dated this 22nd day of June, 2026.

DIVISION OF INDUSTRIAL RELATIONS



By: _____

Victoria Carreón
Administrator, Division of Industrial Relations
2300 W. Sahara Ave., Ste. 300
Las Vegas, Nevada 89102